

March 1, 2008

**Via ECFS**

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**Re: Citynet Fiber Network, LLC  
Zayo Bandwidth Indiana, LLC  
Zayo Bandwidth Northeast, LLC  
Zayo Bandwidth Northeast Sub, LLC  
Zayo Bandwidth Tennessee, LLC**

**2007 CPNI Compliance Certification  
EB Docket No. 06-36**

Dear Ms. Dortch:

On behalf of Citynet Fiber Network, LLC, Zayo Bandwidth Indiana, LLC, Zayo Bandwidth Northeast, LLC, Zayo Bandwidth Northeast Sub, LLC, Zayo Bandwidth Tennessee, LLC, and pursuant to 47 C.F.R. § 64.2009(e), enclosed is the companies' 2007 CPNI Certification.

Very truly yours,



Scott E. Beer

Enclosure

cc: Enforcement Bureau Telecommunications Consumers Division (2 copies)  
Best Copy and Printing, Inc. (via e-mail)

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification  
EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2007.

Date filed: March 1, 2008

<u>Names of companies covered by this certification:</u>	<u>Form 499 Filer ID:</u>
Citynet Fiber Network, LLC	825140
Zayo Bandwidth Indiana, LLC (formerly known as Indiana Fiber Works, LLC)	825561
Zayo Bandwidth Northeast, LLC (formerly known as PPL Telcom, LLC)	823186
Zayo Bandwidth Northeast Sub, LLC (formerly known as PPL Prism, LLC)	823184
Zayo Bandwidth Tennessee, LLC (formerly known as Memphis Networx, LLC)	Pending

Name of signatory: Scott E. Beer

Title of signatory: General Counsel

I, Scott E. Beer, certify that I am an officer of the companies named above, and acting as an agent of the companies, that I have personal knowledge that the companies have established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the companies' procedures ensure that the companies are in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The companies have not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The companies have not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed  [electronic signature]

Scott E. Beer  
General Counsel

**CERTIFICATION OF CPNI FILING**  
**FEBRUARY 29, 2008**  
**EB Docket No. 06-36; EB-06-TC-060**

**Statement of CPNI Procedures and Compliance**

Citynet Fiber Network, LLC, Zayo Bandwidth Indiana, LLC, Zayo Bandwidth Northeast, LLC, Zayo Bandwidth Northeast Sub, LLC, and Zayo Bandwidth Tennessee, LLC (collectively, the "Zayo Bandwidth Entities") provide wholesale bandwidth services to other carriers, government and enterprise customers and large business customers. The Zayo Bandwidth Entities do not have any employees of their own but are managed by their parent, Zayo Group, LLC (together with the Zayo Bandwidth Entities, the "Company").

The Zayo Bandwidth Entities do not use or permit access to CPNI to market any services outside of the "total services approach" as specified in 47 CFR §64.2005. Nor does the Company allow affiliates or third parties access to CPNI for marketing-related purposes. If any of the Zayo Bandwidth Entities elects to use CPNI in a manner that does require customer approval, it will follow the applicable rules set forth in 47 CFR §64.2001 *et seq.*, including the institution of operational procedures to ensure that the appropriate notification is provided and customer approval is obtained before CPNI is used or disclosed. The Zayo Bandwidth Entities will develop and implement an appropriate tracking method to ensure that customers' CPNI approval status can be verified prior to using CPNI for marketing-related purposes. The Zayo Bandwidth Entities will also adopt the requisite record-keeping requirements should they use CPNI in the future for marketing-related purposes.

Consistent with the Commission's rules, the Zayo Bandwidth Entities use, disclose, and permit access to CPNI without customer approval for the purposes of: (1) billing and collecting for services rendered; (2) protecting the rights and property of the Zayo Bandwidth Entities, other users, and other carriers from unlawful use; (3) providing inside wiring, installation, maintenance, and repair services; and (4) providing or marketing services that are within the same class of services to which the customer already subscribes.

Zayo Bandwidth Entities do not engage in marketing when a customer makes an inbound call to one of the Zayo Bandwidth Entities. Should the Zayo Bandwidth Entities change this practice, the companies will, in accordance with the CPNI rules, obtain a customer's oral authorization that the Zayo Bandwidth Entities' customer service representatives may access a customer's CPNI during the course of an inbound or outbound telephone conversation, solely for the duration of that conversation. Each such representative of the Zayo Bandwidth Entities will be required to provide the disclosures demanded by 64.2008(c) of the CPNI rules including informing customers of their right to deny access to the CPNI before requesting this one-time consent.

The Zayo Bandwidth Entities will not provide CPNI without proper customer authentication and do not provide call detail records over the phone. Call detail records are provided exclusively via e-mail or U.S. mail, to the postal or electronic address of record. In order to authenticate a customer's identity prior to disclosing CPNI, the Zayo Bandwidth Entities authenticate the

customer using a variety of methods. The Zayo Bandwidth Entities will inform customers of change of address in a manner that conforms with the relevant rules.

The Zayo Bandwidth Entities have implemented procedures to provide law enforcement with notice should a breach of CPNI occur. After notifying law enforcement and unless directed otherwise, the Zayo Bandwidth Entities will notify affected customers. The Zayo Bandwidth Entities will maintain a record of any CPNI-related breaches for a period of at least two years.

The Company provides training concerning CPNI compliance. All employees of the Company are required to maintain the confidentiality of all information, including customer information that is obtained as a result of their employment by the Company. Employees of the Company who do not abide by these policies or otherwise permit the unauthorized use or disclosure of CPNI will be subject to discipline, including possible termination.